

Cutler
37130-080105



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**AUGUST 1, 2005
9:00 A.M.**

ROOM 159

AGENDA

Call to Order--Roll Call. (All Council Members were present.)

A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

Approved (7-0)

File #110-132

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

Approved (7-0)

File #132

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File #132

Items listed on the 2:00 p.m. Council docket requiring discussion/clarification; and additions/deletions to the 2:00 p.m. docket. (5 minutes)

Topics for discussion by the Mayor and Members of Council. (15 minutes)

Items for discussion at a joint meeting of Council and the Roanoke City School Board on Monday, August 15, 2005, at 12:00 p.m., at the Roanoke Academy for Mathematics and Science, 1616 19th Street, N. W.

Briefings:

- | | | |
|---|---|------------|
| • Market Study Consultant | – | 40 minutes |
| • Virginia First Cities Update | – | 20 minutes |
| • Youth Commission Update | – | 20 minutes |
| • Economic Development Incentive Policy | – | 15 minutes |
| • Parking Update | – | 20 minutes |

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING.



**ROANOKE CITY COUNCIL
REGULAR SESSION**

**AUGUST 1, 2005
2:00 P.M.**

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (Council Member Dowe was absent.)

The Invocation was delivered by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, August 4, 2005, at 7:00 p.m., and Saturday, August 6, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV. CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEVA.GOV, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

Proclamation declaring August 2, 2005 as National Night Out.
File #5-80

3.

CONSENT AGENDA
Approved (6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 A communication from the City Manager requesting that Council schedule a public hearing for Monday, August 15, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of City-owned property located on Salem Avenue, S. W., to the Times World Corporation.

RECOMMENDED ACTION: Concur in the request.
File #166

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, August 15, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of Star City Gospel Café, Inc., for tax exemption from local real estate taxation of property located at 926 Indiana Avenue, N. E.

RECOMMENDED ACTION: Concur in the request.
File #79

- C-3 A communication from the Board of Zoning Appeals transmitting the 2005 Annual Report.

RECOMMENDED ACTION: Receive and File.
File #51-109

- C-4 Qualification of the following persons.

Frank J. Eastburn as a member of the Roanoke Arts Commission, for a term ending June 30, 2008;

Ben J. Fink as a Commissioner of the Roanoke Redevelopment and Housing Authority, for a term ending August 31, 2009;

Sloan H. Hoopes as a member of the War Memorial Committee, for a term ending June 30, 2008;

Curtis E. Mills as a member of the Personnel and Employment Practices Commission, for a term ending June 30, 2008;

George F. Taylor as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2009; and

Eddie Wallace, Jr., as a member of the Mill Mountain Advisory Committee, for a term ending June 30, 2008.

RECOMMENDED ACTION: Receive and file.

File #67-110-178-202-230-323-429

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS: NONE.

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of a Crime Analysis Grant from the Department of Criminal Justice Services and the Byrne Memorial Grant Program; and appropriation funds.

Adopted Budget Ordinance No. 37130-080105 and Resolution No. 37131-080105. (6-0)
File #5-60-236

2. Acceptance of the Urban and Community Forestry Grant from the Virginia Department of Forestry for development of alternatives and guidelines for tree protection; and appropriation and transfer of funds.

Adopted Budget Ordinance No. 37132-080105 and Resolution No. 37133-080105. (6-0)
File #60-236-240

3. Acceptance of a subaward from Virginia Commonwealth University, in connection with Virginia Institute for Social Service Training Activities (VISSTA).
Adopted Resolution No. 37134-080105. (6-0)
File #60-72
4. Execution of an amendment to the 2004-2005 CDBG/HOME Agreement with Community Housing Partners Corporation, Inc., in connection with rehabilitation of eight additional houses to be completed by June 16, 2006.
Adopted Resolution No. 37135-080105. (6-0)
File #178-200-236
5. Execution of an amendment to the 2004-2005 CDBG/HOME Agreement with Blue Ridge Housing Development Corporation, in connection with project activities within the northwest section of the City.
Adopted Resolution No. 37136-080105. (6-0)
File #178-200-236
6. Execution of an amendment to the 2004-2005 CDBG/HOME Agreement with the Roanoke Redevelopment and Housing Authority, in connection with activities to reduce derelict structures within the City.
Adopted Resolution No. 37137-080105. (6-0)
File #178-200-236
7. Execution of the 2005-2006 CDBG Subgrant Agreement with C2C Home, LLC, in connection with property acquisition, site preparation, other preconstruction costs, planning and administration.
Adopted Resolution No. 37138-080105. (6-0)
File #2-178-236
8. Execution of the 2005-2006 CDBG Subgrant Agreement with Total Action Against Poverty, in connection with limited and emergency repairs to 21 homes within the City.
Adopted Resolution No. 37139-080105. (6-0)
File #200-226-236

9. Execution of the Fiscal Year 2006 Community Services Performance Contract with Blue Ridge Behavioral Healthcare Board of Directors.

Adopted Resolution No. 37140-080105. (6-0)
File #314

b. CITY ATTORNEY:

1. Amendment of Sections 20-125, Definitions, and 20-126, Restriction on keeping of inoperable motor vehicles, Article VI, Keeping of Inoperable Motor Vehicles, Chapter 20, Motor Vehicles and Traffic, Code of the City of Roanoke (1979), as amended, to conform with recent State legislation.

Adopted Ordinance No. 37141-080105. (6-0)
File #20-24

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. A resolution changing the place of commencement of the regular meeting of City Council scheduled to be held at 12:00 Noon on Monday, August 15, 2005.

Adopted Resolution No. 37142-080105. (6-0)
File #132

- b. **Adopted Resolution No. 37143-080105 authorizing execution of the grant agreement with the Virginia Employment Commission for Program Year 2005 in connection with the Workforce Investment Act for Area 3; and repealing Resolution No. 37129-071805, adopted July 18, 2005. (6-0)**

File #72-236

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor and Members of City Council.

Council Member Lea called attention to complaints by a number of citizens in the community with regard to unleashed and/or vicious dogs that are allowed to roam throughout some of the City's neighborhoods. He referred specifically to pit bull dogs and inquired if the City has enacted ordinances that address vicious dogs. The City Manager advised that provisions of the City Code require that any dog that is off of the owner's premises must be leashed and whenever citizens observe a dog running loose, they are encouraged to immediately report the incident to the City's Animal Control division. She advised that Animal Control has the authority to issue a summons to the owner of a dog if, in the opinion of the officer, the owner has been negligent. She stated that she would report back to Council with regard to the issue of vicious dogs.

File #5-24-54-66-132

Council Member Lea advised that the kick-off for the 6th Annual Western Virginia Education Classic was held on Friday, July 29 on the City Market, and the football game will be played on Saturday, October 29, 2005 at 2:00 p.m., at Victory Stadium by Saint Paul's College from Lawrenceville, Virginia, and Shaw University from Raleigh, North Carolina.

File #122-388-467

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

Susan Egbert was appointed to the Roanoke Public Library Board for a term ending June 30, 2008.

File #15-110-323

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

E. Duane Howard, 1135 Wasena Avenue, S. W., requested that the Mayor's Committee for People With Disabilities be brought up to 21st century standards. He advised that July 26, 2005 marked the 15th anniversary of the Americans With Disabilities Act, yet the City of Roanoke is 15 years behind in its ADA efforts. He stated that before the Council Chamber was renovated, he submitted a request that all persons addressing the Council would be seated at a table which would have eliminated the stigma of inferior status by some speakers, however, his suggestion was not implemented by the City. He asked that the Mayor's Committee for People With Disabilities be declared an official committee of the City of Roanoke.

File #132-353

Robert E. Gravely, 729 29th Street, N. W., Apt. #1, spoke with regard to the overall condition of the City of Roanoke, i.e.: home ownership for more people, overall cleanliness of the City, marketing of Roanoke, and the need to remove some of the City's tree canopy so as not to obstruct public rights-of-way.

File #66-178-549

Robert Craig, 701 12th Street, S. W., expressed appreciation to the Director of Real Estate Valuation for meeting with him to explain the City's practices with regard to real estate assessment. He referred to the condition of vendor tables on the City Market that were covered with plastic tops that are misaligned and screws that are not properly driven into the surface of the tables that could create a potential safety hazard and a liability to the City. He stated that the condition of the

table tops is indicative of poor job performance without adequate supervision. He also spoke in connection with a discrepancy in information provided by City staff with regard to uncollected rent by City Market Building tenants.

File #42-79

12. CITY MANAGER COMMENTS:

The City Manager presented the Mayor with a Certificate of Appreciation which was issued by Old Southwest, Inc., recognizing outstanding performance by the City's workforce. She advised that three City employees received individual recognition for their work in code enforcement efforts; i.e.:

Susan Grogan representing the Solid Waste Division,
Police Officer Barak Plogger, and
Anne Stuart Beckett, staff to the Architectural Review
Board.

The City Manager called attention to activities that will be held in various City neighborhoods on Tuesday, August 2 and Thursday, August 4, 2005, in conjunction with National Night Out.

File #80-165

CERTIFICATION OF CLOSED SESSION. (6-0)